

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD SMITH,
Plaintiff,

v.

PATRICK R. DONAHOE,
Defendant.

Case No. [12-cv-01358-WHO](#)

**ORDER TO SHOW CAUSE WHY
SUMMARY JUDGMENT SHOULD NOT
BE GRANTED IN FAVOR OF
DEFENDANT OR WHY CASE SHOULD
NOT BE DISMISSED FOR FAILURE
TO PROSECUTE**

On January 15, 2014, defendant Patrick Donahoe filed a motion for summary judgment. The hearing for the motion was scheduled for February 19, 2014. Plaintiff Ronald Smith's opposition brief was due February 3, 2014, adjusted for service by mail. He has not filed one.

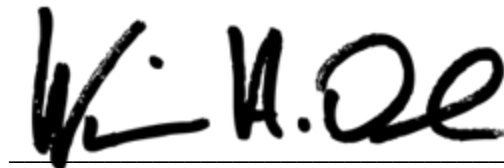
The Court ORDERS Smith to show cause by February 21, 2014, why summary judgment should not be granted in favor of Donahoe or why the case should not be dismissed for failure to prosecute. **This Order will be vacated, however, if Smith files an opposition brief by February 21, 2014.** Donahoe may file any reply brief by February 26, 2014. If Smith files a timely opposition brief, a hearing will be set for March 5, 2014, at 2 p.m. in Courtroom 2.

Donahoe is ORDERED to serve this Order to Smith within one day. The hearing currently set for February 19, 2014, is VACATED.

Smith is again advised to seek the assistance of the Court's Legal Self Help Center.

IT IS SO ORDERED.

Dated: February 13, 2014



WILLIAM H. ORRICK
United States District Judge